1 2 3

6

8

10

9

11 12

13

14 15

16

17

18

19

20

21 22

23

24 25

26

27 28 AUG | 5 2011

## UNITED STATES DISTRICT COURT CENTRAL DISTRICT OF CALIFORNIA

UNITED STATES OF AMERICA, Plaintiff, VS.

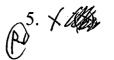
Gonzalez, Symuel Martinez

Defendant.

Case No.: SA11-417 M ORDER OF DETENTION

I.

- On motion of the Government in a case allegedly involving: (X) A.
  - a crime of violence. ( ) 1.
  - an offense with maximum sentence of life imprisonment or death. 2. (X)
  - a narcotics or controlled substance offense with maximum sentence 3. ( ) of ten or more years.
  - any felony where defendant convicted of two or more prior offenses 4. () described above.



any felony that is not otherwise a crime of violence that involves a minor victim, or possession or use of a firearm or destructive device or any other dangerous weapon, or a failure to register under 18 U.S.C. § 2250.

1	B.	( )	On motion by the Government/( ) on Court's own motion, in a case
2	_		allegedly involving:
3		Ø\$	On the further allegation by the Government of:
4		n	1. a serious risk that the defendant will flee.
5		_	2. ( ) a serious risk that the defendant will:
6			a. ( ) obstruct or attempt to obstruct justice.
7			b. ( ) threaten, injure or intimidate a prospective witness or
8			juror, or attempt to do so.
9	C.	The	Government (x) is/( ) is not entitled to a rebuttable presumption that no
10		cond	ition or combination of conditions will reasonably assure the defendant's
11	i	appea	arance as required and the safety or any person or the community.
12	:		
13			II.
14	A.	14	The Court finds that no condition or combination of conditions will
15			reasonably assure:
16		1.	the appearance of the defendant as required.
17			(A) and/or
18		2.	the safety of any person or the community.
19	В.	<b>X</b>	The Court finds that the defendant has not rebutted by sufficient evidence to
20		·	the contrary the presumption provided by statute.
21			
22			III.
23		The C	Court has considered:
24	A.	<b>(X</b> )	the nature and circumstances of the offense(s) charged, including whether
25			the offense is a crime of violence, a Federal crime of terrorism, or involves
26			a minor victim or a controlled substance, firearm, explosive, or destructive
27			device;
28	B.	<b>(X</b> )	the weight of evidence against the defendant;
			Page 2 of 4

1	C.	<b>(X</b> )	the history and characteristics of the defendant; and				
2	D.	<b>(X</b> )	the nature and seriousness of the danger to any person or the community.				
3							
4			IV.				
5		The	Court also has considered all the evidence adduced at the hearing and the				
6	argu	ruments and/or statements of counsel, and the Pretrial Services					
7	Repo	Report/recommendation.					
8							
9			<b>V.</b>				
10		The (	Court bases the foregoing finding(s) on the following:				
11	A.	$(\!$	As to flight risk:				
12			lack of stable residential history: seeming lack of candor re source of				
13		<u>G</u>	lack of stable residential history.				
14			seeming lack of candor le source of				
15			In come:				
16			outstanding bench warrant;  past DMV Fta;				
17			part MV +ta;				
18			ongoing mariju and wes				
19			prospective deportation it convicted				
20							
21	B.	(×)	As to danger:				
22			nature of allegations, which				
23			1 nature of allegations, which also involve allegations of violence, threats				
24			Threyts				
25							
26							
27		***					
28							
			Page 3 of 4				

Case 8:11-mj-00417-DUTY Document 5 Filed 08/15/11 Page 3 of 4 Page ID #:28

, <b>•</b>	Cas	8:11-mj-00417-DUTY Document 5 Filed 08/15/11 Page 4 of 4 Page ID #:29
	1	VI.
	2	A. () The Court finds that a serious risk exists the defendant will:
	3	1. ( ) obstruct or attempt to obstruct justice.
	4	2. () attempt to/() threaten, injure or intimidate a witness or juror.
	5	B. The Court bases the foregoing finding(s) on the following:
	6	
	7	
	8	
	9	
	10	VII.
	11	A. IT IS THEREFORE ORDERED that the defendant be detained prior to trial.
	12	B. IT IS FURTHER ORDERED that the defendant be committed to the custody of the
	13	Attorney General for confinement in a corrections facility separate, to the extent
	14	practicable, from persons awaiting or serving sentences or being held in custody
	15	pending appeal.
	16	C. IT IS FURTHER ORDERED that the defendant be afforded reasonable opportunity
	17	for private consultation with counsel.
	18	D. IT IS FURTHER ORDERED that, on order of a Court of the United States or on
	19	request of any attorney for the Government, the person in charge of the corrections
	20	facility in which defendant is confined deliver the defendant to a United States
	21	marshal for the purpose of an appearance in connection with a court proceeding.
	22	
	23	
	24	DATED: 8/15/11
	25	RØBERTN, BLOCK ENITED STATES MAGISTRATE JUDGE
	26	
	27	
	28	

Page 4 of 4